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9 || Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND VENUE

With the agreement of the parties, and with the consent of the defendant, the Court enters this order pursuant to Federal Rule of Criminal Procedure 5.1(d) continuing the arraignment or preliminary hearing date for Defendant Gregory Herman Jones to February 12, 2013 at 9:30 a.m. before the Honorable Donna M. Ryu. Counsel for the defendant believes that postponing the preliminary hearing is in her client's best interest and that it is not in her client's best interest for the United States to present an indictment before the current January 25, 2013 preliminary hearing date. The parties agree that – taking into account the public interest in prompt

1 disposition of criminal cases – good cause exists for this extension.

2 Defendant also agrees to toll and to waive for this period of time any time limits  
3 applicable under Title 18, United States Code, Section 3161. The parties agree and stipulate that  
4 defense counsel needs time to review discovery and that an exclusion of time under the Speedy  
5 Trial Act for effective preparation of counsel is warranted pursuant to 18 U.S.C. § 3161(h)(7)(A)  
6 and (B)(iv). Undersigned defense counsel represents that she has spoken with her client, and  
7 that Mr. Herman agrees to the continuance and to time being tolled and waived as requested.

8 **IT IS SO STIPULATED.**

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10 DATED: January 18, 2013

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12 /s/  
13 JOYCE LEAVITT  
14 Attorney for Defendant

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16 DATED: January 18, 2013

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18 /s/  
19 KESLIE STEWART  
20 Assistant United States Attorney

21 **IT IS SO ORDERED.**

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23 DATED: 1/22/13

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26 KANDIS A. WESTMORE  
27 United States Magistrate Judge

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